

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

In re: Case No. 3 11-bk-01248-PMG  
Chapter 13

IN RE:  
MARGARET E. MCLEAN  
Debtor.

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**ORDER GRANTING DEBTOR'S MOTION TO DETERMINE  
SECURED STATUS OF NEW YORK COMMUNITY BANK  
AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtor's Motion to Determine Secured Status of **NEW YORK COMMUNITY BANK** and to Strip Lien (the "Motion"). The Motion was circulated pursuant to negative notice and there being found no objections in the record, therefore, it is **ORDERED**:

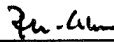
1. The Motion is **GRANTED**.
2. Claim No. 2 filed by **NEW YORK COMMUNITY BANK** shall be treated as an unsecured claim in the Chapter 13 Case.
3. The real property (the "Real Property") that is the subject of the Motion is located at 4835 SW 100<sup>th</sup> Street, Ocala, FL. 34476, in Marion County, Florida more and more particularly described as follows:  
**LEGAL DESCRIPTION: Lot 13, Block 1, of Kingsland County Estates, Unit 22, according to the plat thereof, as recorded in Plat Book "L" Pages 58 through 64, inclusive, of the public Records of Marion County, Florida.**  
Parcel Identification Number: 3507-001-013.
4. The mortgage held by **NEW YORK COMMUNITY BANK** recorded on February 9, 2006, at **Book 02110 Pages 2188, Instrument No. 1909534** of the official records of **MARTIN** County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtor's discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of **NEW YORK COMMUNITY BANK's** lien prior to the entry of The Debtor's discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13

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case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

Dated this 21 day of October, 2011 at Jacksonville, FL.

**BY THE COURT**



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**Paul M. Glenn**  
**Chief United States Bankruptcy Judge**

**CERTIFICATE OF SERVICE**

*I HEREBY CERTIFY* that a true and correct copy of the **ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF NEW YORK COMMUNITY BANK AND TO STRIP LIEN EFFECTIVE UPON DISCHARGE**, : has been furnished by United States Mail via First Class Service to: *U.S. Assistant Trustee*, 135 West Central Avenue, Suite 620, Orlando, FL 32801; Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308; Joseph R Ficalora, President, New York Community Bank, 615, Merrick Avenue, Westbury, New York, 11590, George Richard Chamberlin, P. A. 39 North Main Street Williston, FL 32696, Margaret E. Mclean 4835 SW 100<sup>th</sup> Street, Ocala, FL 343476.